

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

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Counsel for Benchmark-Clarence Associates, LLC  
and SRK Lady Lake 21 SPE, LLC

In re:

BED BATH & BEYOND INC., *et al.*,

Debtors.<sup>1</sup>

Case No.: 23-13359 (VFP)

Chapter 11

Judge: Hon. Vincent F. Papalia

**VERIFIED STATEMENT OF HODGSON RUSS LLP PURSUANT TO  
RULE 2019 OF THE FEDERAL RULES OF BANKRUPTCY PROCEDURE**

Hodgson Russ LLP (“Hodgson”), counsel to Benchmark-Clarence Associates, LLC (“Benchmark”) and SRK Lady Lake 21 SPE, LLC (“SRK,”), files this Verified Statement pursuant to Ruler 2019(a) of the Federal Rules of Bankruptcy Procedure.

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<sup>1</sup> The last four digits of Debtor Bed Bath & Beyond Inc.’s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor’s tax identification number may be obtained on the website of the Debtors’ claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.’s principal place of business and the Debtors’ service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

1. The names and addresses of the parties represented by Hodgson in the above-referenced chapter 11 cases are as follows:

Benchmark-Clarence Associates, LLC  
c/o Benchmark Properties Management Corp., as Manager  
4053 Maple Road, Suite 200  
Amherst, New York 14226

SRK Lady Lake 21 SPE, LLC  
c/o Benchmark Properties Management Corp., as Manager  
4053 Maple Road, Suite 200  
Amherst, New York 14226

2. The nature and amount of disclosable interest of each creditor, equity security holder, and party in interest represented by Hodgson is as follows:

a. Benchmark is a creditor in these chapter 11 cases and a landlord of one of the Debtors, Bed Bath & Beyond Inc. (the “Debtor”). Benchmark holds a claim against the Debtor in an unknown amount including, but not limited to, all amounts due and owing under the lease between Benchmark and the Debtor, plus any rejection damages and/or administrative priority claims for unpaid rent and other charges.

b. SRK is a creditor in these chapter 11 cases and a landlord of the Debtor. SRK holds a claim against the Debtor in an unknown amount including, but not limited to, all amounts due and owing under the lease between SRK and the Debtor, plus any rejection damages and/or administrative priority claims for unpaid rent and other charges.

3. Benchmark and SRK have each requested that Hodgson represent them and their interests in connection with these chapter 11 cases.

4. Upon information and belief, as of the date of this Verified Statement, Hodgson does not hold any claim against or equity interest in the Debtors.

5. The undersigned certify that this Verified Statement is true and accurate to the best of her knowledge and belief. Hodgson reserves the right to revise and supplement this Verified Statement.

Dated: June 26, 2023

Respectfully submitted,

**HODGSON RUSS LLP**  
*Counsel for Benchmark-Clarence Associates, LLC and  
SRK Lady Lake 21 SPE, LLC*

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